

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of LODI GAS STORAGE, L.L.C. To  
Amend Its Certificate of Public Convenience and  
Necessity for Construction and Operation of Gas  
Storage Facilities. (U-912-G)

Application 04-03-030  
(Filed March 26, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING PROTECTIVE ORDER AND  
ESTABLISHING THE OFFICIAL SERVICE LIST**

**A. Protective Order**

On March 26, 2004, Lodi Gas Storage, L.L.C. (LGS) filed a motion seeking leave to file the cost statement and financial documents that are a part of its application under seal pursuant to Rule 45 of the Commission's Rules of Practice and Procedure and the Commission's General Order 66-C. LGS has referenced the cost statement and financial documents as Exhibits 3 and 4 to the application respectively.

LGS states that it is engaged in the competitive gas storage industry. The Commission has approved LGS' use of market-based rates and LGS has several existing storage competitors. According to LGS, its present and future competitors could find information regarding LGS' cost statement and financial documents useful in determining its economics, estimating its fixed and marginal costs, and devising pricing strategies to compete with LGS. Therefore, LGS believes that its cost statement and financial documents are competitively

sensitive and should not be available for public inspection. LGS' motion is unopposed.

Good cause being shown, I grant LGS' motion for a protective order to the extent set forth below.

**B. Service List**

LGS served its application on the service list for Application (A.) 98-11-012, which was LGS' initial application for its certificate of public convenience and necessity, as well as on all landowners whose property is implicated by the gas storage reservoir. The only party filing a response to the application is on the service list of A.98-11-012. Therefore, the Commission's Process Office shall establish the official service list for this application, consisting of the service list for A.98-11-012 as of the date of this ruling.

**IT IS RULED** that:

1. The March 26, 2004 motion of Lodi Gas Storage, L.L.C. (LGS) for leave to file confidential material under seal is granted to the extent below.
2. The cost statement and financial documents, referenced as Exhibits 3 and 4 to LGS' application, which exhibits have also been filed under seal as an attachment to the motion for protective order, shall remain under seal for a period of two years from the date of this ruling, and during that period shall not be made accessible or disclosed to anyone other than Commission staff except on the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge.

3. If LGS believes that further protection of this information is needed after two years, it may file a motion stating the justification for further withholding the material from public inspection, or for such other relief as the Commission rules may then provide. This motion shall be filed no later than 30 days before the expiration of this protective order.

4. The Commission's Process Office shall establish the official service list for this application, consisting of the service list for Application 98-11-012 as of the date of this ruling.

Dated May 4, 2004, at San Francisco, California.

/s/ JANET A. ECONOME

Janet A. Econome  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Protective Order and Establishing the Official Service List on all parties of record in this proceeding or their attorneys of record.

Dated May 4, 2004, at San Francisco, California.

/s/ JANET V. ALVIAR

Janet V. Alviar

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.